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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91205910
Party	Defendant Armes, Chris
Correspondence Address	CHRISTOPHER J. HUSSIN LATHROP & CLARK LLP PO BOX 1507 MADISON, WI 53701-1507  docket_chussin@lathropclark.com
Submission	Answer
Filer's Name	Christopher J. Hussin
Filer's e-mail	docket_chussin@boardmanclark.com
Signature	/chris hussin/
Date	08/13/2012
Attachments	A1472492.PDF ( 7 pages )(51615 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

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<b>ROMNEY FOR PRESIDENT, INC.</b>	)	
	)	
<b>Opposer,</b>	)	
	)	
<b>v.</b>	)	<b>Opposition No.: 91205910</b>
	)	
<b>CHRIS ARMES,</b>	)	
	)	
<b>Applicant.</b>	)	

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**ANSWER AND AFFIRMATIVE DEFENSES**

Applicant answers and otherwise pleads to Opposer's Consolidated Notice of Opposition to Applicant's U.S. Trademark Application Serial Nos. 85/447,381 and 85/452,544 as set forth below. With respect to the preamble in the Consolidated Notice of Opposition, Applicant denies the allegations made therein.

With respect to the numbered paragraphs in the Consolidated Notice of Opposition, Applicant answers and pleads as follows:

1. Applicant lacks information to form a belief as to the truth or falsity of the allegations of Paragraph 1, and therefore denies them.
2. Admitted.
3. Applicant lacks information to form a belief as to the truth or falsity of the allegations of Paragraph 3, and therefore denies them.
4. Applicant admits that Mitt Romney was the 70<sup>th</sup> Governor of Massachusetts,

serving from 2003 to 2007. Applicant lacks sufficient information to form a belief as to the truth or falsity of the remaining allegations of Paragraph 4, and therefore denies them.

5. Applicant lacks information to form a belief as to the truth or falsity of the allegations of Paragraph 5, and therefore denies them.

6. Applicant lacks information to form a belief as to the truth or falsity of the allegations of Paragraph 6, and therefore denies them.

7. Applicant lacks information to form a belief as to the truth or falsity of the allegations of Paragraph 7, and therefore denies them.

8. Applicant lacks information to form a belief as to the truth or falsity of the allegations of Paragraph 8, and therefore denies them.

9. Applicant lacks information to form a belief as to the truth or falsity of the allegations of Paragraph 9, and therefore denies them.

10. Applicant lacks information to form a belief as to the truth or falsity of the allegations of Paragraph 10, and therefore denies them.

11. Applicant lacks information to form a belief as to the truth or falsity of the allegations of Paragraph 11, and therefore denies them.

12. Applicant lacks information to form a belief as to the truth or falsity of the allegations of Paragraph 12, and therefore denies them.

13. Applicant lacks information to form a belief as to the truth or falsity of the allegations of Paragraph 13, and therefore denies them.

14. Applicant lacks information to form a belief as to the truth or falsity of the allegations of Paragraph 14, and therefore denies them.

15. Denied.

16. Denied.

17. Admitted.

18. Denied.

19. Denied.

20. Denied.

21. Applicant admits that it formed B.I.A. – Believe in America, LLC, a Florida limited liability company, on or about January 5, 2012. Applicant denies the remaining allegations of paragraph 21.

22. Denied.

**FALSE SUGGESTION OF A CONNECTION**  
**Section 2(a) of the Lanham Act**

23. Applicant repeats and incorporates its responses to paragraphs 1-22 of the Consolidated Notice of Opposition as it set forth fully herein.

24. Denied.

25. Denied.

26. Denied.

27. Denied.

28. Denied.

29. Denied.

30. Denied.

**LACK OF BONA FIDE INTENT**  
**Section 1(b) of the Lanham Act**

31. Applicant repeats and incorporates its responses to paragraphs 1-30 of the

Consolidated Notice of Opposition as it set forth fully herein.

32. Denied.

33. Applicant lacks information to form a belief as to the truth or falsity of the allegations of Paragraph 33, and therefore denies them.

34. Denied.

35. Denied.

36. Denied.

**LIKELIHOOD OF CONFUSION**  
**Section 2(d) of the Lanham Act**

37. Applicant repeats and incorporates its responses to paragraphs 1-36 of the Consolidated Notice of Opposition as it set forth fully herein.

38. Denied.

39. Denied.

40. Denied.

41. Denied.

42. Denied.

43. Denied.

44. Denied.

45. Denied.

46. Applicant admits that Opposer has not authorized Applicant to file the Applications but affirmatively alleges that such authorization is not necessary. Applicant denies the remaining allegations of paragraph 41.

47. Denied.

48. Denied.

**ALTERNATIVE GROUNDS: MERELY INFORMATIONAL, DESCRIPTIVE,  
FAILURE TO FUNCTION AS A MARK AND ORNAMENTATION  
Sections 1, 2, 3 and 45 of the Lanham Act**

49. Applicant repeats and incorporates its responses to paragraphs 1-48 of the Consolidated Notice of Opposition as it set forth fully herein.

50. Denied.

51. Admitted.

52. Denied.

53. Denied.

54. Denied.

55. Denied.

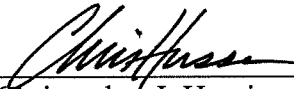
**AFFIRMATIVE DEFENSES**

1. Opposer lacks standing to bring this action.
2. Opposer's claims are barred because it cannot demonstrate prior trademark rights to BELIEVE IN AMERICA.
3. Opposer has failed to state a claim upon which relief may be granted.

Unless specifically admitted herein, all allegations in the Consolidated Notice of Opposition are denied. Applicant further denies that Opposer is entitled to any relief.

WHEREFORE, Applicant prays that Opposer's Consolidated Notice of Opposition be dismissed with prejudice.

Dated: 08-13-2012

By:   
Christopher J. Hussin  
BOARDMAN & CLARK LLP  
1 South Pinckney Street, Fourth Floor  
P.O. Box 927  
Madison, WI 53701-0927  
Phone: (608)257-9521  
Fax: (608)283-1709  
Email: [chussin@boardmanclark.com](mailto:chussin@boardmanclark.com)  
Attorneys for Applicant

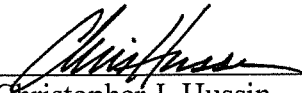
**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on the date indicated below a copy of the foregoing document was served upon the following by depositing a copy thereof in the United States Mail, postage prepaid, and addressed as follows:

Charles F. Marshall  
BROOKS, PIERCE, MCLENDON, HUMPHREY & LEONARD, L.L.P.  
P.O. BOX 26000  
Greensboro, NC 27420-6000

Dated: 08-13-2012

By: \_\_\_\_\_

  
Christopher J. Hussin  
BOARDMAN & CLARK LLP  
1 South Pinckney Street, Fourth Floor  
P.O. Box 927  
Madison, WI 53701-0927  
Phone: (608)257-9521  
Fax: (608)283-1709  
Email: [chussin@boardmanclark.com](mailto:chussin@boardmanclark.com)  
Attorneys for Applicant